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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,997	03/13/2001	William Henry Mengel	RCA-89130	1650

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EXAMINER

NATNAEL, PAULOS M

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 07/08/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/743,997

Applicant(s)

MENGEL, WILLIAM HENRY

Examiner

Paulos M. Natnael

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to under 37 CFR 1.75(d), as having no support in the disclosure or the specification to show the claim as recited.

In claim 1, while the OSD data is disclosed in the Figs and specification as being inserted in the digital signal (i.e., before the D/A conversion), the claimed method of "inserting the OSD data into the analog video signal" is not.

2. For the purpose of this rejection the "inserting the OSD data into the analog video signal" is assumed to be "inserting the OSD data into the digital video signal" instead.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knox et al., U.S. Pat. No. 6,480,238 in view of Tults, U.S. Pat. No. 6,339,451.

Considering claim 1, the claimed method of

- a) providing the non-video data to an OSD generator of the video receiver, is met by Processor 130, Fig.1;
- b) formatting the non-video data as OSD data is met by OSD 150, fig.1;
- c) inserting the OSD data into the analog video signal is met by mixer 170, fig.1;

Except for;

- d) providing the external device with an OSD data detector;
- e) detecting the OSD data to receive the non-video;

Regarding d) and e), Knox does not disclose a detector within the external device, i.e. the display 190. However, receives and displays on-screen-display messages.

In that regard, Tults discloses a graphical on-screen display system, wherein "an edge detector is coupled to the decoder 117 and processes the OSD image representative data *to detect an edge in the graphical OSD image*. (see Abstract and FIG.7)

Therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Knox by providing the OSD signal detector of Tults in order to allow for the detection and smoothing of graphical OSD data (data having textual characters as well as other graphic objects) so as to produce pleasing smoothed, rounded graphic elements.

Considering claim 2, the claimed method of wherein the OSD data is inserted into the analog video signal during non-blanking portions, is met by the disclosure that "The

OSD unit can be used to display a user defined bit map over any part of the displayable screen, independent of the size and location of the **active video** area.” (col. 4, lines 64-66)

Considering claim 3, the claimed method wherein the non-video data is control data, is met by the disclosure “Processor 130 performs various control functions, including but not limited to, providing control data to the video decoder 160 and OSD unit 150...” (col. 3, lines 11-14)

Considering claim 4, the claimed method wherein the non-video data is information usually included in a blanking interval of an analog video signal;

Regarding claim 4, Knox doesn't specifically disclose that the non-video data is information usually included in a blanking interval of an analog video signal; However, Examiner takes Official Notice here in that it is well known in the art that a non-video data or information is usually included in the vertical blanking interval of the video signal, and therefore would have been obvious to the skilled in the art at the time the invention was made to modify the system of Knox by providing the non-video data in the blanking interval of the analog video signal in order for the receiver to reliably extract the non-video data from the VBI and display or transmit the same to other devices within the system.

Considering claim **5**, the claimed method wherein the non-video data is contained in the digital video signal is met by the output of the output signal of the OSD 150, fig.1, which is a digital signal input to the D/A converter (DAC) 185.

Considering claim **6**, the claimed method wherein the non-video data is determined by the video receiver is met by the Control microprocessor which determines which data to send to the OSD 150, fig.1;

Considering claim **7**, the claimed method wherein the non-video data is displayable in an overscan region, is met by the disclosure that "The OSD unit can be used to display a user defined bit map over any part of the displayable screen, independent of the size and location of the active video area." (col. 4, lines 64-66)

Considering claim **8**, the claimed method wherein the non-video data is wherein the video receiver provides a sync signal to the external device, is met by the disclosure that "Horizontal and vertical sync signals are separated at a separator and then used to synchronize the reading functions from memory." (col. 1, lines 42-48)

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

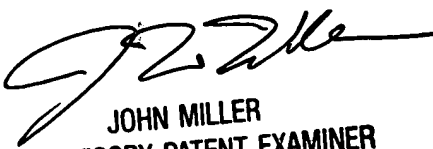
Knox et al., U.S. Pat. No. 5,640,502 discloses a Bit-mapped on-screen-display device for a television receiver.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (703) 305-0019. The examiner can normally be reached on 6:30am -3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Paulos Natnael
June 30, 2003


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600